

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – July 5, 2007 P.M.

Members Present: David Grabowski, Vice-Chair; Gary Rosenbaum; Ramsey Alexander, Jr.

Members Absent: Tammy CitaraManis, Chairperson; Linda Dombrowski

DPZ Staff Present: Steve Lafferty; Bob Lalush; Lisa Kenney

Pre-Meeting Minutes

Mr. Lafferty discussed future agenda items with the Board.

Minutes

No minutes were voted upon.

PUBLIC MEETING

Mr. Grabowski opened the public meeting at approximately 7:02 p.m.

ZONING BOARD CASES

ZB-1067M – Convenience Retailing

Presented By: Bob Lalush
Petition: To reclassify the property from a B-1 District to a PEC District. South of Warwick Way, at its intersection with Birmingham Way.(2101 Warwick Way)
DPZ Recommendation: Approval
Petitioner's Representative: Dave Carney

Mr. Lalush explained the zoning history of the subject parcel as well as adjacent parcels. He also explained the layout of the proposed gas station to be constructed on the subject parcel, if PEC zoning were allowed.

Mr. Rosenbaum asked if the proposed station would eliminate parking within the existing shopping center and Mr. Lalush explained that five spaces would be eliminated, however there would be adequate parking for the shopping center.

Mr. Carney gave a brief history of the site and explained that the original proposed station was to be located at Warwick and Marriottsville Roads, but was withdrawn due to neighborhood controversy.

Rick Levitan of CR, LLC stated that the proposed development would be a Mobil gas station with car wash and service center. He stated that due to neighborhood concerns the station would be closed at midnight, and there will be no signs on Routes 70 and 99. He explained that he was willing to work with the community and try to accommodate their requests.

Mr. Rosenbaum questioned the type of pricing marquee that would be used. Mr. Levitan explained that the marquee would be a small monument sign.

Carl Wilson of the The Traffic Group explained the study that was completed for this project as well as the road improvements that have been approved for Marriottsville Road to help ease traffic in the area.

Mr. Carney stated that almost every shopping center in Howard County has a gas station and/or package store and that the project would be heavily landscaped.

Ronald Spahn, spoke against the proposed plan stating that there was no basis for mistake or change, and no basis for rezoning since there had been changes in the zoning. He stated his concerns regarding crossing at Warwick and Birmingham Way.

Mr. Rosenbaum asked Mr. Spahn if he received notices regarding the public meetings held by the developer. Mr. Spahn stated yes he did receive notice of the meetings but that as the managing entity, he had not seen the plans to determine acceptability.

Mr. Dennis Avgening of 1110 Chambers Court, representing Waverly Woods Condominium Association, spoke in opposition of the proposed plan stating that the 16 units he represented was under the impression the site would be a sit down restaurant. He stated his concerns regarding traffic and that the developer should look at alternative options other than a gas station.

Mr. Jared Spahn, HOA Manager as well as the property manager spoke against the proposed plan stating that there has been no mistake or change to justify rezoning and that he community needs more B-1 zoned property, not less.

Ms. Arline Calaby of 2100 Gaunton Green stated her opposition to the proposed plan due to her concerns regarding traffic.

Ms. Devora Pontell spoke against the proposed plan stating her concerns regarding traffic and increased crime due to the late hours of a gas station. She also stated her concerns with environmental issues on the site as well as the storm water management pond.

Mr. Richard Wolfe stated his concern for the condition and upkeep of the stormwater management facility and that traffic would increase.

Mr. Carney explained that the stormwater management pond was constructed for commercial buildings and that the HOA is responsible for the maintenance as well as the upkeep of the ponds. He also stated that the petitioner had a total of five meetings regarding the proposed plan.

Mr. Rick Levitan stated that Weis Supermarket approved of the proposed plan and that the gas station would not be a full convenience store. He also stated that he has worked with the community and feels that the gas station would be a good fit.

Mr. Rosenbaum questioned any change in the neighborhood since the original zoning board cases. Mr. Lalush stated that residential density increased by about 300.

Motion:

Mr. Rosenbaum moved to adopt ZB 1067M as recommended by the staff report for approval, with the correction on page 14 of the staff report, should read, B1 to PEC.

Discussion:

Mr. Rosenbaum stated that it was clear from the comments that there had been no mistake in zoning, however the density had increased since the two previous zoning board cases. He also noted that citizens testifying against the petitioner did indicate that community meetings were held.

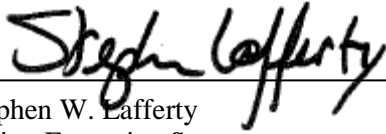
Mr. Alexander stated that he concurred with the change in the neighborhood.

Mr. Grabowski stated his agreement that density had increased, therefore there is a change in the character of the neighborhood but not a mistake in zoning.

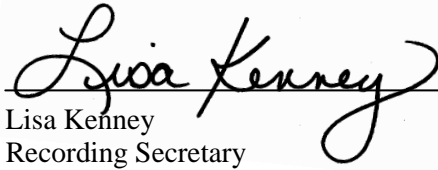
Vote:

3 Yea. 0 Nay. The motion was carried.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT
APPROXIMATELY 8:35 P.M.



Stephen W. Lafferty
Acting Executive Secretary



Lisa Kenney
Recording Secretary